

PLANNING AND ZONING COMMISSION
Monday, March 10, 2008 – MINUTES – Regular Session

Call to Order: Time In: 7:00 p.m.

The Planning and Zoning Commission of the Village of Canal Winchester met on the above date for a regular session and was called to order by Mr. Christensen.

Roll Call

Present: Mr. Christensen, Mr. Knowlton, Dr. Konold and Mr. Vasko. Dr. Konold made a motion to excuse Mr. Graber, Mr. Wynkoop and Ms. Solomon. Mr. Knowlton seconded the motion. The motion passed unanimously.

Mr. Christensen noted that Mr. Graber arrived at 7:01 p.m.

Mr. Christensen noted that Ms. Solomon arrived at 7:02 p.m.

Approval of Minutes

Dr. Konold made a motion to approve the minutes of the February 11, 2008 regular meeting as presented. Mr. Vasko seconded the motion. The motion passed, 4-0-2, with Mr. Knowlton and Ms. Solomon abstaining.

Dr. Konold made a motion to approve the minutes of the January 14, 2008 regular meeting as presented. Mr. Knowlton seconded the motion. The motion passed, 5-0-1, with Mr. Vasko abstaining.

Public Comment – None.

Administration of Public Oath

Mr. Christensen administered the public oath.

Application #PA-07-03(A) Property owners, Joe and Kelly Abbott, are requesting an approval of a revised rear addition in the Preservation Area. Andrew Dutton, Zoning Officer, gave the staff report. Mr. Abbot was present to answer questions from the Commission. Mr. Christensen also announced that Patrick Murphy was present as the representative from the Landmarks Commission.

Mr. Abbott explained that he is making the changes to the elevations because he felt the old elevations were a distraction to the original design of the house. There were also some structural elements that needed to be addressed. Mr. Abbott also stated that he caught some mistakes on the plans. There will be no vinyl clad windows. Also, the railing system on the porch on the south elevation was specified as PVC railing system. This will be a painted wood railing. Mr. Abbott continued to explain the changes that were made to the plans.

Mr. Graber asked how much further the house went back to the rear of the property. Mr. Abbott stated that it is seven feet more than the existing addition.

Mr. Murphy asked what the roof material was. Mr. Abbott stated that it would be a dimensional shingle.

Dr. Konold made a motion to approve Application #PA-07-03(A) with the corrections stated in the letter that was submitted by the Applicant at the meeting tonight. Ms. Solomon seconded the motion. The motion passed unanimously.

Application #CU-08-01 Property owner, Canal Pointe LLC and applicant, Jeannie Margavich of Safety Occupational Testing Services, LLC, are requesting a Conditional Use approval under Section 1171.03 (c)(2) for a medical office associated with on-site service for drug and alcohol screenings. Allan Neimayer, Planning and Zoning Administrator, gave the staff report. Ms. Margavich was present to answer questions from the Commission.

Mr. Knowlton asked how many people will be there in a given day. Ms. Margavich stated that she would guess approximately 10 people per day.

Mr. Knowlton asked if there would be any chemicals stored on the site. Ms. Margavich stated that there would be no chemicals other than cleaning products.

Mr. Knowlton then inquired about any biowaste. Ms. Margavich said that the labs provide her with everything they need to collect and ship collections to the labs, which will go out every day.

Public Comment. There was none.

Dr. Konold made a motion to close the public hearing. Mr. Knowlton seconded the motion. The motion passed unanimously.

Mr. Knowlton made a motion to approve Application #CU-08-01. Mr. Graber seconded the motion. The motion passed unanimously.

Application #VA-07-03 (A) and #VA-08-01 Mr. Christensen asked if Mr. Land was present. He was not. Mr. Christensen stated that they would skip this item for now, pending Mr. Land's arrival.

Application #VA-08-03 Property Owners Mid-Ohio Historical Museum and Henrietta Pfeifer and Applicant Damon Pfeifer, for property located southeast of 700 Winchester Pike, are requesting a Variance to Section 1191.02 (f) regarding the location of a trash receptacle and a Variance to Section 1195.05 (a) regarding the setbacks for an accessory structure. Mr. Dutton gave the staff report. Mr. Damon Pfeifer and Mr. Herb Pfeifer were present to answer questions from the Commission.

Mr. Damon Pfeifer stated that Mr. Dutton did a great job explaining and asked if he could answer any questions. Mr. Graber asked if the dumpster screening was a six foot cedar fence. Mr. Damon Pfeifer stated yes.

Mr. Graber asked staff if it was required in the zoning text that the screening had to match the building materials. After discussion it was concluded that no it does not have to match the building materials.

Mr. Knowlton inquired if there was going to be enough room for the trash truck to get in. Mr. Damon Pfeifer stated there is enough room.

Mr. Vasko wanted to know if Mr. Pfeifer had talked with the fire department about access. It appears there is not access to all four sides of the building. Mr. Damon Pfeiffer said yes that is correct and stated that the fire department did not have a problem with that.

Mr. Vasko commented that this project just does not work. They are trying to fit too much on this lot.

Mr. Herb Pfeifer stated that the dumpster can be moved to the rear of the building if that is what the Planning and Zoning Commission wants.

Public Comment

Glen Faight, 691 Winchester Pike, questioned how far the structure is set back. He stated that he believed any structure was to be 100 feet off the road. He also stated that he believed the dumpster should be behind the building.

Dr. Konold made a motion to close the public hearing. Ms. Solomon seconded the motion. The motion passed unanimously.

Mr. Knowlton asked for some clarification of the code for the building setback. Mr. Dutton stated that it is 50 feet from the right of way.

The Commission continued with a discussion about the log cabin that is on the property and the setbacks required for it.

Mr. Graber made a motion to approve Application #VA-08-03 for a variance to Section 1191.02 (f) regarding the location of the trash receptacle, as presented. Ms. Solomon seconded the motion. The motion passed 5 – 1 with Mr. Vasko voting no.

Mr. Graber made a motion to Application #VA-08-03 for a variance to Section 1195.05 (a) regarding the setbacks for an accessory structure, as presented. Ms. Solomon seconded the motion. The motion passed 5 – 1 with Mr. Vasko voting no.

Application #SDP08-02 Property Owners Mid-Ohio Historical Museum and Henrietta Pfeifer and Applicant Damon Pfeifer, for property located southeast of 700 Winchester Pike, are requesting site development plan approval for a 4,032 square foot winery and a 2,400 square foot future storage building. Mr. Dutton gave the staff report. Jay Berry, from Bird and Bull, the village engineer for this project, was present to answer any questions. Herb Pfeifer and Damon Pfeifer were present to answer questions from the Commission.

Mr. Berry stated that he would like some anticipated traffic counts to get an idea of the traffic impact and flow for the site. He also needs storm water calculations to show there is adequate retention on the pond for the site. The site plan needs to show where the fire hydrants are located at on the property. And finally he needs ingress and egress information.

Mr. Vasko asked what size the light poles are going to be. There are two different sizes shown on the plans. Mr. Damon Pfeifer stated that would be using the 12 foot 8 inch poles. Mr. Vasko also inquired if there were any lights looked at that were more decorative than these. He would like to see the photometric map to show that the lighting is adequate.

Mr. Graber had questions on the building materials. He would like to see four-sided architecture on the building with some kind of natural materials on all four sides.

Mr. Vasko stated that he wants to see all the information before a decision can be made on the site plan. Ms. Solomon agreed that she wants to clearly see what is being done. The plans need to be submitted as the site will be done. Mr. Christensen also agreed and noted one of the plan sheets is stamped by a Michigan engineer.

The Commission continued discussing the different aspects of the project and came to a consensus that there are just too many undetermined details to make a decision at this time.

Mr. Graber stated Commission needs to see a completed package in order to make a decision. Mr. Damon Pfeifer stated that he is willing to do the changes. He does not understand why the decision cannot be made based on what the Commission has in front of them.

Mr. Vasko made a motion to table Application #SDP-08-02 for the purpose of meeting staff recommendations, in addition to the following items:

1. Photometric map for the parking area lighting.
2. Traffic information being requested by the village engineer.
3. Proper and complete drawings.
4. Final site plan.
5. Building materials shown on the drawings.
6. Dumpster material with detail drawing.
7. Determine light pole type and height.

Mr. Graber seconded the motion. The motion passed unanimously.

Application #VA-07-03(A) and #VA-08-01 Property Owners Alec Land and Rona Shapiro, for property at 1037 Groveport Road, are requesting an amendment to Variance #VA-07-03 to remove an original condition prohibiting a commercial operation on the property and a variance to Section 1189.06 (a) which prohibits signs in a residential district. Mr. Neimayer gave the staff report and explained that this item was tabled at the previous meeting so that all of the Commission could have their input on this item.

The Commission discussed their options with this application. To either amend the previous variance or to have the zoning changed to Exceptional Use.

Mr. Land inquired if it was possible to allow a temporary variance while he gets the process started for the re-zoning. The Commission discussed that they could put a time limit on it, but it would just be a temporary fix.

Dr. Konold made a motion to amend #VA-07-03 from prohibiting commercial operations to allow the commercial boarding of horses. Mr. Graber seconded the motion. The motion passed 4 – 2, with Mr. Vasko and Mr. Knowlton voting no.

Mr. Vasko made a motion to approve application #VA-08-01, to allow a commercial sign in a residential district per staff recommendations outside of the right-of-way. Dr. Konold seconded the motion. The motion passed unanimously.

9:41 p.m. Jennifer Solomon was excused from the meeting.

Application #FDP-08-01 Property Owner Shimangshi1 LLC and Applicant KCDG, for property located on the southeast corner of Diley and Busey roads, are requesting final development plan approval for a 40 acre commercial development. Samir Kulkarni of KCDG and Jerry Turner of Bird and Bull, civil engineer for the Applicant, were present to answer questions from the Commission.

Gene Hollins, Village Solicitor, addressed the right-of-way agreement with Violet Township. He stated that we just received the new deed. There was some miscommunication that the deed had been completed. The Commission had planned on tabling this item until the deed agreement was worked out with Violet Township.

Sean Suder, attorney for KCDG, stated they are there tonight to show the Commission what they have done and would like them to act on the application without the traffic study or the sign issues being resolved. If an approval cannot be done tonight he asked that a special meeting be set up so that it can be approved prior to the next Council meeting.

Mr. Kulkarni outlined the changes that have been done since the previous meeting. Mr. Kulkarni and the Commission discussed the size of the sign. Mr. Kulkarni is asking for a forty foot tall sign with eight hundred square feet of signage. Mr. Christensen and Mr. Vasko both stated that there is no way they are going to allow a sign that tall or that large. Mr. Kulkarni and the Commission agreed that a twenty-five foot tall sign, the same as Meijer's, would be more suitable. They did not agree on the square footage of sign.

The Commission continued discussing why a special meeting should be held. Mr. Kulkarni is still requesting the Commission to hold a special meeting. Mr. Vasko stated that by the time they get the information to Mr. Neimayer and he gets it processed it is going to be time for the regular meeting anyway. So there is no need to hold a special meeting.

Gary Weltlich, Violet Township Trustee, stated his concerns with this project.

Bill Yaple, Violet Township Administrator, stated that a traffic study must be done before this project can be approved. There are too many possible problems with the current street layout.

Mr. Vasko made a motion to table application #FDP-08-01. Dr. Konold seconded the motion. The motion passed unanimously.

Application #VA-07-14 Property owner is Wendy's International and Applicant John Oney, Architectural Alliance, for property located at 202 Cemetery Road, are requesting a variance to Section 1153.20 for used car sales not in conjunction with new sales. Mr. Neimayer explained this application was tabled on December 10, 2007 pending the outcome on the Applicant's rezoning application before Council. That rezoning application has been denied by Council. As a result, the Planning and Zoning Commission needs to take appropriate action on Application #VA-07-14.

Mr. Christensen opened the hearing for public comment. There was none.

Mr. Graber made a motion to close the public hearing. Mr. Vasko seconded the motion. The motion passed unanimously.

Mr. Vasko made a motion to dismiss Application #VA-07-14. Mr. Graber seconded the motion. The motion passed unanimously.

Application #SDP-07-01 Property owner is Wendy's International and applicant John Oney, Architectural Alliance, for property located at 202 Cemetery Road, are requesting a Site Development Plan for a Byers Auto sales lot. Mr. Neimayer explained this application was also tabled on December 10, 2007 pending the outcome on the Applicant's rezoning application before Council. That rezoning application has been denied by Council. Therefore, the Planning and Zoning Commission needs to take appropriate action on Application #SDP-07-01.

Mr. Vasko made a motion to dismiss Application #SDP-07-01. Mr. Graber seconded the motion. The motion passed unanimously.

Proposed Commercial Development Standards

Mr. Neimayer explained the additional changes that were made from the last meeting. The Commission discussed the parking lot layouts with landscaping. Mr. Neimayer stated he would make the additional changes as discussed. Mr. Vasko made a motion to table the Commercial Development Standards. Mr. Knowlton seconded the motion. The motion passed unanimously.

Old Business – None.

New Business - None.

Planning and Zoning Administrator's Report

Mr. Neimayer told the Commission that he has a few CD's available of "Zoning Now", a subscription Ms. Solomon had requested at an earlier meeting. The Commission can determine among themselves how to share these CD's.

Mr. Neimayer reminded the Commission of the Fairfield County Regional Planning Commission's training seminar. It is at 6:00 p.m. tomorrow evening.

There is a draft of the proposed amendment to the Preservation Guidelines. Please take it with you to review. It is what was discussed at the joint meeting. Also, please review the minutes from that meeting, they were e-mailed to you.

Lastly, Mr. Neimayer informed the Commission that the Village has a new website. The web address is: www.canalwinchesterohio.gov. Please take a look at it. There is a section for the Commission members. Mr. Neimayer asked how the members you would like their names listed on the site: just names or with addresses. Please let him know, and any general comments regarding the new website.

Adjournment

Mr. Knowlton made a motion to adjourn this regular meeting of the Planning and Zoning Commission. Mr. Vasko seconded the motion. The motion passed unanimously.

Time Out: 11:05 p.m.

Date _____

Bill Christensen, Chairman

Jeff Graber, Secretary